

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC, and
Bernard L. Madoff,

Plaintiff,

v.

ABN AMRO BANK, N.V. (presently known as THE
ROYAL BANK OF SCOTLAND, N.V.),

Defendant.

Adv. Pro. No. 10-05354 (CGM)

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC, and
Bernard L. Madoff,

Plaintiff,

v.

ABN AMRO BANK, N.V. (presently known as THE
ROYAL BANK OF SCOTLAND, N.V.),

Defendant.

Adv. Pro. No. 11-02760 (CGM)

AMENDED STIPULATION AND ORDER

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the estate of Bernard L. Madoff, individually, and defendant ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland N.V.)¹ (“Defendant” and collectively, with the Trustee, the “Parties”), by and through their respective, undersigned counsel, hereby stipulate and agree in this Amended Stipulation and Order as follows:

WHEREAS, on January 19, 2022, the Court “So Ordered” a Stipulation and Order (the “Stipulation and Order”) submitted by the Parties that provided a schedule for a motion by the Trustee to consolidate the above-captioned adversary proceedings and amend the complaint in the proceedings. *Picard v. ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.)*, Adv. Pro. 10-05354 (CGM), ECF No. 217; *Picard v. ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.)*, Adv. Pro. 11-02760 (CGM), ECF No. 109.

WHEREAS, on February 22, 2022, the Trustee provided counsel for Defendant with a Proposed Consolidated Second Amended Complaint (the “Consolidated Amended Complaint”).

WHEREAS, counsel for Defendant has agreed to inform the Trustee on or before March 8, 2022, whether Defendant consents to the Trustee filing the Consolidated Amended Complaint.

IT IS HEREBY STIPULATED AND AGREED that the Stipulation and Order is amended as follows:

1. On or before March 22, 2022, either:

¹ On May 30, 2018, The Royal Bank of Scotland N.V. changed its name to “NatWest Markets N.V.”

- a. If Defendant consents to the Trustee filing the Consolidated Amended Complaint, the Trustee will file the Consolidated Amended Complaint.
 - i. Defendant will answer, move, or otherwise respond to the Consolidated Amended Complaint on or before May 23, 2022.
 - ii. The Trustee will file any opposition to Defendant's motion on or before July 22, 2022.
 - iii. Defendant will file any reply brief in support of its motion on or before August 22, 2022.
- b. If Defendant does not consent to the Trustee filing the Consolidated Amended Complaint, the Trustee will file his motion for leave to consolidate and amend the complaint.
 - i. Defendant will file any opposition to the Trustee's motion on or before May 23, 2022.
 - ii. The Trustee will file any reply brief in further support of his motion on or before June 22, 2022.

2. The Parties reserve all rights, arguments, objections and defenses they may have, and entry into this Amended Stipulation and Order shall not impair or otherwise affect any such rights, arguments, objections, and defenses, including without limitation, challenges to personal jurisdiction or to the jurisdiction of this Court.

3. The above deadlines granted by this Amended Stipulation and Order are without prejudice to either party seeking future extensions of time.

Dated: February 28, 2022
New York, New York

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*Attorneys for Plaintiff Irving H. Picard,
Trustee for the Liquidation of Bernard L.
Madoff Investment Securities LLC and the
Chapter 7 Estate of Bernard L. Madoff*

SO ORDERED.

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*Attorneys for Defendant ABN AMRO Bank N.V.
(presently known as The Royal Bank of
Scotland, N.V.)*

**Dated: March 2, 2022
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**